

BEFORE THE KANSAS DENTAL BOARD

FILED  
JUN 22 2007  
KANSAS DENTAL BOARD

In the Matter Of )

ERIC N. YOUVAN, D.D.S. )

License No. 6972 )

Case No. 06-1830-6972

Case No. 06-81

**STIPULATION AND FINAL AGENCY ORDER**

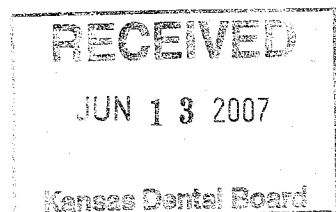
IT IS HEREBY STIPULATED AND AGREED by and between the Kansas Dental Board (the "Board") and Eric N. Youvan, D.D.S. (the "Respondent"), as follows:

1. The Board is represented herein by its attorney, Randall J. Forbes of Frieden & Forbes, 555 South Kansas Avenue, Suite 303, Topeka, Kansas 66603. The Respondent is represented herein by his attorney, Terelle A. Mock of Fisher, Patterson, Sayler & Smith, LLP, 3550 S.W. 5<sup>th</sup> Street, Topeka, Kansas 66606.

2. The Board is the Kansas agency vested with the authority, pursuant to K.S.A. 74-1404 and K.S.A. 74-1406, to carry out and enforce the provisions of the Kansas Dental Law, K.S.A. 65-1401 *et seq.*, including conducting hearings and proceedings to revoke, suspend or otherwise discipline a Kansas license to practice dentistry.

3. The Respondent is presently entitled to engage in the practice of dentistry in the State of Kansas by reason of the Board having issued him Kansas license number 6972. At all times relevant hereto, the Respondent has held a current license to engage in the practice of dentistry in the State of Kansas.

4. The Board has received certain information, has investigated and has determined that there are reasonable grounds to believe that the Respondent has committed an act or acts in violation of the Kansas Dental Act, K.S.A. 65-1401 *et seq.*



5. In Case No. 06-1830-6972, on December 28, 2006 the Board's Disciplinary Counsel filed a Petition to Revoke, Suspend, Limit or otherwise Discipline Licensure (the "Petition"), seeking the discipline of the Respondent's Kansas license to practice dentistry in the State of Kansas. The Petition alleges that the Respondent, while licensed by the Board, committed an act or acts in violation of the Kansas Dental Practices Act, K.S.A. 65-1401 *et seq.*, including:

A. On or about October 22, 2002, the Respondent, while under an agreement with Heart of America Professional Network ("HAPN") for treatment of alcohol abuse, informed HAPN that he was no longer practicing dentistry.

B. On or about November 1, 2002, HAPN informed the Respondent of his non-compliance with his HAPN Agreement because he had failed to follow through on a treatment recommendation following his relapse of September 26, 2002, submit twelve-step sheets, attend monthly monitoring meetings, and provide a UA. Continued compliance with the requirements of the HAPN agreement and recovery requirements was essential to the Respondent being able to practice dentistry safely.

C. On or about January 15, 2003, the Respondent informed the Board that he was retiring his license for a period of one year effective February 15, 2003.

D. On or about January 30, 2003, HAPN notified the Board that the Respondent's case was closed due to the retirement of his license for a period of one year. HAPN also advised the Board that, should the Respondent reactivate his license, the Kansas Dental Impaired Provider Program should be recommended for monitoring.

